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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,993	03/31/2004	Hideki Kuwajima	43890-672	6416

7590 01/05/2007  
McDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER
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MAGEE, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/812,993

Applicant(s)

KUWAJIMA, HIDEKI

Examiner

Christopher R. Magee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The reply filed 10/20/2006 was applied to the following effect: All relevant objections and rejections are withdrawn as being satisfied.

### ***Response to Arguments***

2. Applicant's arguments, see Remarks, pages 9-11, filed on 10/26/2006, with respect to the rejection(s) of claim(s) 1, 8 and 20 under Ohnishi et al. (hereinafter Ohnishi) (US 6,751,092 B1) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as being unpatentable over Yamamura et al. (hereinafter Yamamura) (JP 09-204766) in view of Ohnishi et al. (hereinafter Ohnishi) (US 6,751,092 B1).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamura et al. (hereinafter Yamamura) (JP 09-204766) in view of Ohnishi et al. (hereinafter Ohnishi) (US 6,751,092 B1).

Regarding claims 1, 5, 6, 8, 12, 13 and 20, Yamamura discloses a shock-absorbing member 21 disposed on a main body of electronic equipment (i.e., disk drive) [Fig. 8] and comprising a shock-absorbing flexible part [shown but not numbered].

Yamamura does not teach the shock absorbing member comprising shock absorbing base part along with a shock-absorbing flexible part, wherein the shock-absorbing base part has a thickness smaller than that of the shock-absorbing flexible part, and the shock-absorbing base part buckles so as to absorb a shock when receiving an impact.

In the same field of endeavor, Ohnishi discloses a shock-absorbing member disposed on a main body of electronic equipment (i.e. disk drive) [col. 15, lines 43-49], and comprising a shock absorbing base part 432 and a shock-absorbing flexible part 431, wherein the shock-absorbing base part has a thickness smaller than that of the shock-absorbing flexible part, and the shock-absorbing base part buckles (i.e., deform in a horizontal direction, which results in the shock absorbing base part to buckle) so as to absorb a shock when receiving an impact [Figure 9; col. 6, lines 64-67 and col. 15, lines 50-60].

Regarding claims 2, 9, 21, 22 and 24-26, Ohnishi discloses the shock absorbing base part forms a bending part which is vertical to the shock direction, and starts buckling at the bending part of the shock-absorbing base [Figure 9].

Regarding claims 3 and 10, Ohnishi shows the shock-absorbing base part and the shock-absorbing flexible part are disposed so that their long sides are substantially in parallel with a direction of an impact force [Figure 9].

Regarding claims 4 and 11, Ohnishi shows the shock-absorbing base part and the shock-absorbing flexible part are integrally molded forming a unit [Figure 9].

Regarding claims 7 and 14, Ohnishi discloses the shock-absorbing base part has a hardness higher than that of the shock-absorbing flexible part [col. 14, lines 56-61].

Regarding claim 15, Ohnishi shows at least 3 pieces of the shock absorbing member are disposed between a plane of a main body of the device and a plane of an outside constituent member facing the device [Figure 2].

Regarding claims 16 and 23, Ohnishi shows wherein the shock-absorbing members are disposed between a plane of main body of the device and a plane of an outside constituent member facing the device,

wherein an angle the planes are vertically making to a joint plane between the shock-absorbing base part and the shock-absorbing flexible part of an adjacent shock absorbing member is  $60^{\circ}$  at least and  $120^{\circ}$  at most [Figure 2].

Regarding claim 17, Ohnishi discloses the shock-absorbing member is affixed to one of an outside face of the main body of the device and an inside face of the outer case [col. 13, lines 16-29].

Regarding claims 18 and 19, Ohnishi discloses the shock-absorbing member is in one of shapes of cuboid, cylinder, half-cylinder, oval-cylinder, half-oval cylinder, and polygonal prism, wherein a face of the shock-absorbing member having the shock-absorbing base part is in parallel with the joint plane between the shock-absorbing base part and the shock-absorbing flexible part [col. 15, line 61 to col. 16, line 2].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the shock-absorbing member of Yamamura with a shock-absorbing

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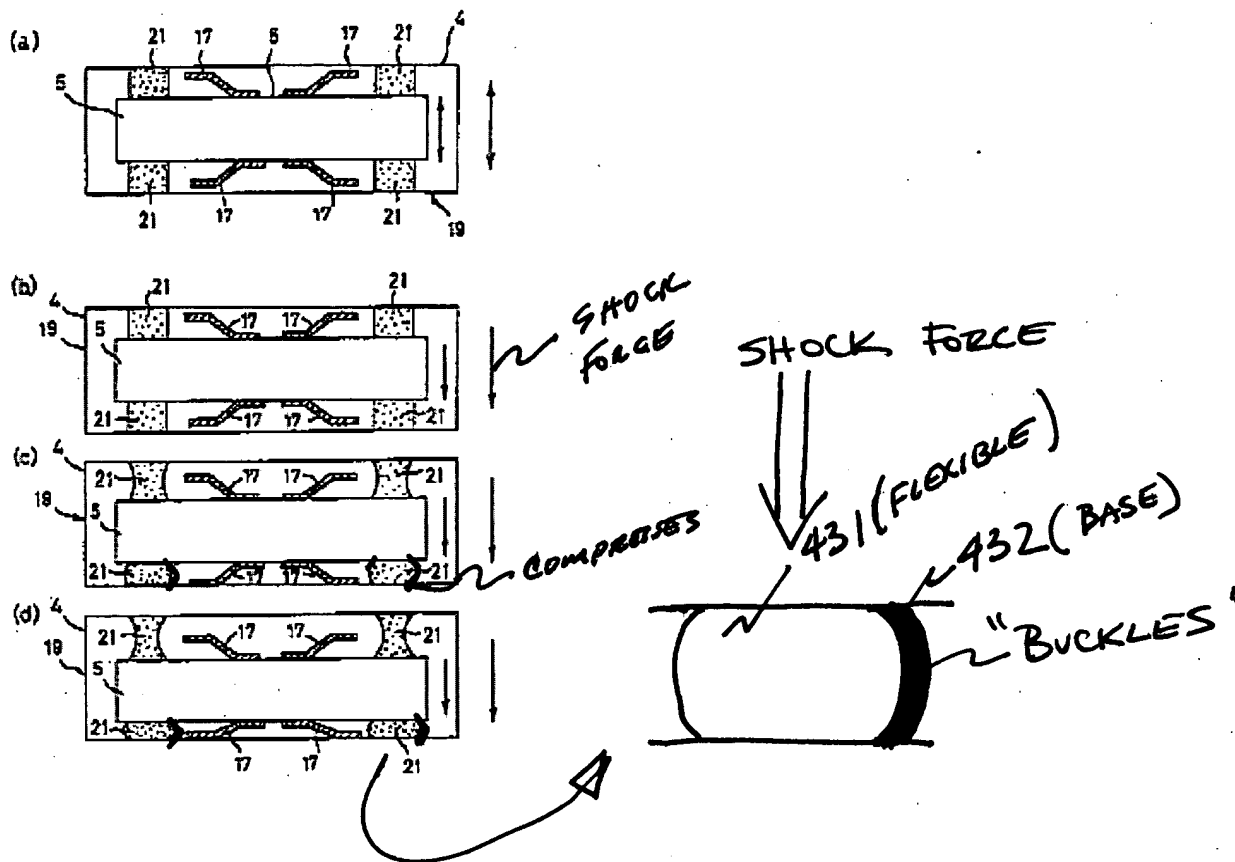
member disposed on a main body of electronic equipment comprising a shock absorbing base part and a shock-absorbing flexible part as taught by Ohnishi.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the shock-absorbing member of Yamamura with a shock-absorbing member disposed on a main body of electronic equipment comprising a shock absorbing base part and a shock-absorbing flexible part as taught by Ohnishi in order to improve the shock resistance with respect to various kinds of shocks ranging from weak to strong shocks [*Ohnishi*; col. 5, lines 29-32].

When subjected to compressive loading, i.e., shock/impact, the shock absorbing member of Yamamura and Ohnishi will absorb a shock when receiving an impact and the shock-absorbing base part will buckle [see annotated Fig. 8].

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### Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8:00 am-4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Christopher R. Magee  
Patent Examiner  
Art Unit 2627

December 27, 2006  
crm

  
**ANGEL CASTRO**  
**PRIMARY EXAMINER**